

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON AGRICULTURE**

**Call to Order:** Chairman Krayton Kerns, on January 13, 2011 at 3:00 PM, in Room 472  
Capitol

#### **ROLL CALL**

**Members Present:**

Rep. Krayton Kerns, Chairman (R)  
Rep. Bob Wagner, Vice Chairman (R)  
Rep. Timothy Furey, Vice Chairman (D)  
Rep. Joanne G. Blyton (R)  
Rep. Christy Clark (R)  
Rep. Lila Walter Evans (R)  
Rep. Steve Fitzpatrick (R)  
Rep. Alan Hale (R)  
Rep. Brian Hoven (R)  
Rep. David Howard (R)  
Rep. Margaret (Margie) MacDonald (D)  
Rep. Edith (Edie) McClafferty (D)  
Rep. Jonathan McNiven (R)  
Rep. Pat Noonan (D)  
Rep. Carolyn Pease-Lopez (D)  
Rep. Lee Randall (R)  
Rep. Joe Read (R)  
Rep. Daniel R. Salomon (R)  
Rep. Sterling Small (R)  
Rep. Frank Smith (D)  
Rep. Kathleen Williams (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Dave Bohyer, Legislative Branch  
Lauren Head, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 133, 1/10/2011; HB 166, 1/10/2011

Executive Action HB 54

**HEARING ON HB 166**

**Opening Statement by Sponsor:**

00:01:02 Rep. John Esp (R), HD 61, opened the hearing on HB 166, Revise weed control laws.

**Proponents' Testimony:**

00:03:47 Dave Schulz, Madison County Commissioner  
00:06:29 John Moodry, Weed Supervisor for Butte and Silver Bow  
00:08:25 Bob Gilbert, Rosebud County, representing Commissioner and Weed Supervisor  
00:09:21 Mike McGinley, Commissioner for Beaverhead County

**Opponents' Testimony:**

00:10:11 Glen Oppel, Montana Realtors

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:18:13 Rep. McClafferty  
00:19:01 Mr. Oppel  
00:20:37 Rep. McClafferty  
00:20:55 Mr. Oppel  
00:21:31 Rep. Randall  
00:22:13 Rep. Esp  
00:23:47 Rep. MacDonald  
00:24:31 Mr. Schultz  
00:25:09 Rep. McNiven  
00:26:18 Mr. Schultz  
00:27:43 Rep. McNiven  
00:28:04 Mr. Schultz  
00:28:44 Rep. McNiven  
00:28:56 Mr. Schultz  
00:29:00 Rep. Blyton  
00:29:18 Mr. Schultz  
00:30:11 Rep. Blyton  
00:30:28 Mr. Schultz  
00:31:42 Rep. Blyton  
00:32:09 Mr. Oppel  
00:32:27 Rep. Blyton

00:32:32 Mr. Oppel  
 00:32:47 Rep. Hoven  
 00:33:07 Mr. Schultz  
 00:33:47 Rep. Read  
 00:35:33 Mr. Oppel  
 00:37:49 Rep. Read  
 00:37:59 Mr. Oppel  
 00:38:27 Rep. Read  
 00:38:35 Mr. Oppel  
 00:38:51 Rep. Evans  
 00:39:16 Mr. Schultz  
 00:39:28 Rep. Evans  
 00:39:33 Mr. Schultz  
 00:39:40 Rep. Evans  
 00:39:44 Mr. Schultz  
 00:41:16 Rep. Evans  
 00:41:24 Mr. Schultz  
 00:41:36 Rep. Evans  
 00:41:50 Mr. Schultz  
 00:42:37 Rep. Evans  
 00:42:50 Mr. Schultz  
 00:43:15 Rep. Evans  
 00:43:49 Mr. Schultz  
 00:43:54 Rep. Evans  
 00:43:57 Mr. Schultz  
 00:44:26 Rep. Fitzpatrick  
 00:45:29 Mr. Oppel  
 00:45:36 Rep. Fitzpatrick  
 00:46:18 Mr. Oppel  
 00:46:44 Rep. Fitzpatrick  
 00:47:02 Mr. Oppel

**Closing by Sponsor:**

00:48:09 Rep. Esp  
 00:49:10 Vice Chair Wagner left the meeting.

**HEARING ON HB 133**

**Opening Statement by Sponsor:**

00:50:31 Rep. Daniel Salomon (R), HD 12, opened the hearing on HB 133, Provide for court orders, fines, liens for noncompliance with noxious weed laws.

**Proponents' Testimony:**

00:53:36 Joe Clarman, Deputy Director for Department of Agriculture

00:54:38 Rep. Fitzpatrick left the meeting.  
00:55:15 Bob Gilbert, County Commissioner  
00:55:59 Richard Grady, Canyon Creek ranch owner

**EXHIBIT(agh10a01)**

01:02:04 John Andrew, Helena resident  
01:03:35 Vice Chair Wagner rejoined the meeting.  
01:04:56 Dave Schultz, Madison County Commissioner  
01:06:25 Dan Happel, Madison County Commissioner  
01:06:48 Rep. Fitzpatrick rejoined the meeting.

**Opponents' Testimony:**

01:07:35 John Moodry, Montana Weed Control Association  
01:11:03 Nicole Rolf, Montana Farm Bureau Federation  
01:17:15 Ariel Overstreet, Montana Stockgrowers Association and Montana Cattlegrowers  
01:19:19 Mike Murphy, Montana Water Resources Association (MWRA)  
01:21:25 Carol Lambert, Women Involved in Farm Economics (WIFE)  
01:22:16 Jessie Luther, Burlington Northern Santa Fe Railway Company (BNSF)

**Informational Testimony:**

01:23:56 Court Jensen, Attorney for the Department of Agriculture

**Questions from Committee Members and Responses:**

01:24:11 Rep. McClafferty  
01:24:32 Mr. Clarman  
01:24:43 Mr. Jensen  
01:25:45 Rep. Clark  
01:26:35 Mr. Jensen  
01:27:43 Rep. Clark  
01:27:53 Mr. Jensen  
01:28:44 Vice Chair Wagner  
01:29:24 Mrs. Rolf  
01:30:58 Vice Chair Wagner  
01:32:15 Mrs. Rolf  
01:33:01 Rep. Hoven  
01:33:30 Mr. Jensen  
01:36:08 Vice Chair Wagner  
01:37:51 Mr. Jensen  
01:38:56 Vice Chair Wagner  
01:39:42 Mr. Jensen  
01:40:46 Rep. McNiven  
01:41:33 Mr. Jensen  
01:42:10 Rep. McNiven  
01:42:53 Mr. Jensen  
01:43:50 Rep. Smith  
01:44:26 Mr. Jensen  
01:44:42 Rep. Smith  
01:44:47 Mr. Jensen

01:44:49 Rep. Smith  
01:44:54 Mr. Jensen  
01:45:27 Rep. Smith  
01:45:37 Mr. Jensen  
01:45:48 Rep. Howard  
01:46:25 Mr. Jensen

**Closing by Sponsor:**

01:47:53 Rep. Salomon

**EXECUTIVE ACTION ON HB 54**

01:51:23 **Motion/Vote:** Rep. Wagner moved that **HB 54 DO PASS**. Motion carried unanimously by voice vote.

**ADJOURNMENT**

01:52:32      Adjournment

---

Lauren Head, Secretary

lh

Additional Documents:

**EXHIBIT([agh10aad.pdf](#))**